

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

20 APR 21 AM 9:19

for the
District of New Mexico

CLERK-LAS CRUCES

United States of America)
v.)
Francisco OLVERA-Holguin)
Defendant(s)

Case No: 20-1042 MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of April 18, 2020 in the county of Dona Ana in the State and District of New Mexico, the defendant violated § U.S.C. §1326(a)(1)/(b)(1)(Re-Entry After Deport Felon), an offense described as follows:

an alien, who had been previously arrested and deported from the United States, subsequent to being convicted of a felony, to wit: Re-entry of a removed alien, and who had not received the consent of the appropriate authority of the United States to reapply for admission into the United States, was found in the United States, in the State and District of New Mexico, being willfully in the United States unlawfully

This criminal complaint is based on these facts:

On April 18, 2020, a United States Border Patrol Agent encountered the Defendant in Dona Ana County, New Mexico. The Agent questioned the Defendant as to his citizenship to which the Defendant stated that he was a citizen and national of Mexico present in the United States without Immigration Documents that would allow him to be or remain in the United States legally. Processing at the Santa Teresa Station revealed that the Defendant had been previously deported to Mexico via Texas on or about May 09, 2018. This was subsequent to a felony conviction for "Re-entry of a removed alien" in the state of New Mexico on or about January 10, 2017.

Continued on the attached sheet.



Complainant's signature

Matthew Simpkins, Agent

Printed name and title



GREGORY B. WORMUTH
U.S. MAGISTRATE JUDGE

Printed name and title

Date: April 21, 2020

City and state: Las Cruces, N.M.

CONTINUATION OF CRIMINAL COMPLAINT

STATE AND DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

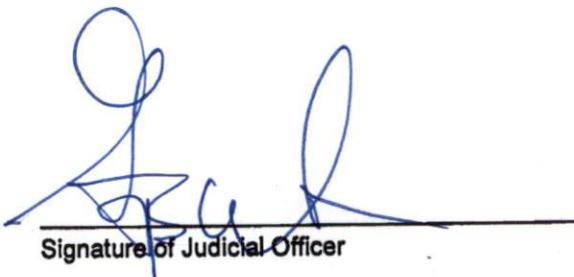
v.

Francisco OLVERA-Holguin

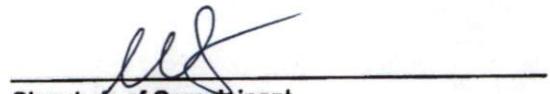
Continuation of Statement of Facts:

The defendant was arrested for possession with intent to distribute marijuana; however, the defendant was turned over to New Mexico State law enforcement agents for prosecution in New Mexico State Court. There is no evidence that the Defendant received permission from the Appropriate Authority to reapply for admission into the United States.

Continuation of Statutory Language:



Signature of Judicial Officer



Signature of Complainant

Simpkins, Matthew

Filing Agent